UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,973	03/07/2002	Jean-Claude Junqua	9432-000148	1465

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EXAMINER
RIVERO, MINERVA

ART UNIT	PAPER NUMBER
2655	

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-29_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-29_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on _03/07/02_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _8/20/02, 11/5/04_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   Claim 1 is objected to because of the following informalities: Claim 1, Line

11, recites *said biometric verification/identification system*, the Examiner has

interpreted the Applicant's intended element as *a biometric

verification/identification system*, and will further treat the claim on the merits.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section
> 122(b), by another filed in the United States before the invention by the applicant for patent or
> (2) a patent granted on an application for patent by another filed in the United States before
> the invention by the applicant for patent, except that an international application filed under
> the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an
> application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1, 21 and 28 are rejected under 35 U.S.C. 102(e) as being

anticipated by Traynor (US 2002/0007278).

3.   Regarding claims 1, 21 and 28, Traynor discloses an apparatus for and

method of interacting with a secure resource accessible through a telephone

system of the type that provides telephone access through a plurality of

extensions, comprising:

a security server having an interface for sending messages to said

telephone system, said messages being adapted to provide control signals to

said secure resource (*web server* and *secure transactions*, [0019], Lines 1-4; Fig.

1, elements 110 and 120; *authenticating the voice of the caller*, [0010], Lines 4-

7);

a biometric data store that stores biometric data associated with at least

one user (*database contains information for each caller*, [0019], Lines 1-4;

information includes the callers voice print, [0019], Lines 8-9);

a biometric data input system coupled to said security server and operable

to obtain user biometric data from said user (*callers transmit voice through

callers' network and a voice profile for each caller is developed*, [0018]);

said biometric verification/identification system being configured to access

said data store and to evaluate said user biometric data vis-à-vis said stored

biometric data and to provide instructions to said security server and thereby

provide control signals for interacting with said secure resource (*application

verifies caller's voice*, [0015], Lines 19-22; *uses involving remote voice control of

a system*, [0016], Lines 1-4).

4.   Regarding claim 2, Traynor teaches a telephone network (Fig. 1, element 200), thus it has an inherent telephony interface coupled to said telephone system.

5.   Regarding claim 3, Traynor discloses said interface is an interface coupling said security server with an intermediate system that in turn communicates with said telephone system (*speech recognition server*, Fig. 1, element 110).

6.   Regarding claim 4, Traynor discloses said interface is a network interface for communicating messages over a network between said security server and said telephone system (*wireline and wireless networks*, Fig. 1, element 200).

7.   Regarding claims 5, Traynor discloses said data store is configured to store biometric data in association with at least one of said plurality of extensions (*caller uses a wireless phone or wired telephone to enroll a voice profile and a voice profile is developed*, [0018], Lines 1-7; *voice profile will be used for later voice verification*, [0018], Lines 10-11).

8.   Regarding claim 6 and 23, Traynor discloses said biometric data input system is operable to obtain user biometric data from a user operating one of said plurality of extensions (*caller uses a wireless phone or wired telephone to enroll a voice profile*, [0018], Lines 1-7).

9.   Regarding claim 7, Traynor discloses said security system is configurable

through training to operate upon biometric data from said user (*authenticating the*

voice of a caller and *caller's instructions directed to a remote appliance*, [0010],

Lines 4-7).

10.   Regarding claim 8, Traynor discloses said security system is configurable

through training to operate upon biometric data from said user using training

speech provided using said telephone system (*caller voice profile,* [0018]).

11.   Regarding claim 9, Traynor discloses said security system includes direct

interface for coupling to said secure resource (*wireline network connecting*

remote appliance to web server, Fig. 1, element 410).

12.   Regarding claim 10, Traynor discloses said direct interface is a wired

connection to said secure resource (*wireline network connecting remote*

appliance to web server, Fig. 1, element 410).

13.   Regarding claim 11, Traynor discloses said direct interface is a network

connection communicating with said secure resource (*wireline and wireless*

networks connecting the appliance network to the web server, Fig. 1, elements

410 and 420).

14.   Regarding claim 12, Traynor discloses said direct interface is a wireless

connection communicating with said secure resource (*wireless network*, Fig. 1, element 420).

15.   Regarding claim 13, Traynor discloses said biometric data input system is a voice input system ([0009], Lines 1-5).

16.   Regarding claim 14, Traynor discloses said biometric input system is a voice input system communicating with said telephone through at least one of said extensions ([0009]; *speech recognition server* and *callers network*, Fig. 1, elements 110 and 200; *voice verification*, [0018], Lines 9-10).

17.   Regarding claim 15, Traynor discloses said biometric verification/identification system employs a speaker verification/identification system (*voice verification*, [0018], Lines 9-10).

18.   Regarding claim 17, Traynor discloses said biometric verification/identification system employs a speech recognition system that compares the user's speech with a predefined list of keywords (*Pepsi, Sprite, Gingerale*, [0015]).

19.   Regarding claim 18, Traynor discloses said biometric verification/identification system employs a speech recognition system that

employs a wordspotting system for identifying keywords within a speech

utterance (*Pepsi, Sprite, Gingerale*, [0015]).

20. Regarding claim 19, Traynor discloses said biometric

verification/identification system employs a speaker verification/identification

system that assesses at least one text independent component and at least one

text dependent component (*voice profile, voice profile coupled with caller's own

PIN* number, [0018]).

21. Regarding claim 20, Traynor discloses said security server couples to said

telephone system as one said plurality of extensions (*web server and wireline

network*, Fig. 1, element 120).

22. Regarding claim 22, Traynor discloses said biometric data is speech data

(*voice verification*, [0018], Lines 9-12).

23. Regarding claim 23, Traynor discloses said biometric data is speech data

provided through said one of said extensions (*callers' enrollment for voice

verification, callers' network*, [0018]).

24. Regarding claim 24, Traynor discloses said evaluating step is performed

using a speaker verification/identification technique applied to said speech data

(*recognizing and authenticating*, [0010]; [0018]).

25.   Regarding claim 25, Traynor discloses said biometric data is speech data

and said evaluating step is performed using a speaker recognition to compare

said speech data with a predefined set of keywords (*voice profile coupled with*

caller's own PIN number, [0018], Lines 7-12; *Pepsi, Sprite, Gingerale*, [0015]).

26.   Regarding claim 26, Traynor discloses said biometric data is stream of

continuous speech data and said evaluating step is performed by wordspotting to

identify keywords within said continuous speech data (*voice profile coupled with*

caller's own PIN number, [0018], Lines 7-12; *Pepsi, Sprite, Gingerale*, [0015]).

27.   Regarding claim 29, Traynor discloses storing biometric data associated

with a plurality of users (*web server has callers' voice print*, [0019], Lines 8-9).

Claim Rejections - 35 USC § 103

28.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

29.   Claims 16 and 27 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Traynor (US Patent 2002/0007278), as applied to claims 1

and 21 above, in view of Li *et al.* (US Patent 6,219,793).

Traynor does not disclose but Li *et al.* do disclose said biometric

verification/identification system automatically determines an extension identifier

associated with said one of said plurality of extensions being operated by said

user, and uses said extension identifier in accessing said stored biometric data

(*caller ID and terminal ID are jointly authenticated*, Col. 16, Lines 16-18, 23-26

and 32-34; Col. 17, Lines 22-27 and 33-35).

Therefore it would have been obvious to one ordinarily skilled in the art at

the time of the invention to supplement the teachings of Traynor with having said

biometric verification/identification system automatically determine an extension

identifier associated with said one of said plurality of extensions being operated

by said user, and use said extension identifier in accessing said stored biometric

data, as taught by Li *et al.*, in order to achieve a higher level of security in phone

networks, as further taught by Li *et al.* (Col. 16, Lines 32-34).

Conclusion

30.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Madan *et al.* (US Patent 6,581,035) disclose a system that allows remote voice-based transactions over a communication device.

Curry *et al.* (US Patent 6,493,669) disclose a system that activates a particular speech controlled task model depending on recognition and identification of a user's biometric signature.

31.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minerva Rivero whose telephone number is (703) 605-4377. The examiner can normally be reached on Monday-Friday 9:00 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Ivars Smits can be reached on (703) 305-9508. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MR 2/15/2005

TALIVALDIS IVARS SMITS
PRIMARY EXAMINER